



Rep. Kelly M. Cassidy

Filed: 4/7/2014

09800HB4172ham001

LRB098 15726 JLS 58322 a

1 AMENDMENT TO HOUSE BILL 4172

2 AMENDMENT NO. _____. Amend House Bill 4172 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Unemployment Insurance Act is amended by
5 changing Section 611 as follows:

6 (820 ILCS 405/611) (from Ch. 48, par. 441)

7 Sec. 611. Retirement pay. A. For the purposes of this
8 Section "disqualifying income" means:

9 1. The entire amount which an individual has received or
10 will receive with respect to a week in the form of a retirement
11 payment (a) from an individual or organization (i) for which he
12 performed services during his base period or which is liable
13 for benefit charges or payments in lieu of contributions as a
14 result of the payment of benefits to such individual and (ii)
15 which pays all of the cost of such retirement payment, or (b)
16 from a trust, annuity or insurance fund or under an annuity or

1 insurance contract, to or under which an individual or
2 organization for which he performed services during his base
3 period or which is liable for benefit charges or payments in
4 lieu of contributions as a result of the payment of benefits to
5 such individual pays or has paid all of the premiums or
6 contributions; and

7 2. One-half the amount which an individual has received or
8 will receive with respect to a week in the form of a retirement
9 payment (a) from an individual or organization (i) for which he
10 performed services during his base period or which is liable
11 for benefit charges or payments in lieu of contributions as a
12 result of the payment of benefits to such individual and (ii)
13 which pays some, but not all, of the cost of such retirement
14 payment, or (b) from a trust, annuity or insurance fund
15 ~~(including primary social security old age and disability~~
16 ~~retirement benefits, including those based on self employment)~~
17 or under an annuity or insurance contract, to or under which an
18 individual or organization for which he performed services
19 during his base period or which is liable for benefit charges
20 or payments in lieu of contributions as a result of the payment
21 of benefits to such individual pays or has paid some, but not
22 all, of the premiums or contributions.

23 2.1. Notwithstanding paragraphs 1 and 2 above, none of the
24 amount that an individual has received or will receive with
25 respect to a week in the form of social security old age,
26 survivors, and disability benefits under 42 U.S.C. Section 401

1 et seq., including those based on self-employment, shall
2 constitute disqualifying income.

3 3. Notwithstanding ~~paragraphs paragraph 1, and 2, and 2.1~~
4 above, the entire amount which an individual has received or
5 will receive, with respect to any week which begins after March
6 31, 1980, of any governmental or other pension, retirement, or
7 retired pay, annuity or any other similar periodic payment
8 which is based on any previous work of such individual during
9 his base period or which is liable for benefit charges or
10 payments in lieu of contributions as a result of the payment of
11 benefits to such individual. This paragraph shall be in effect
12 only if it is required as a condition for full tax credit
13 against the tax imposed by the Federal Unemployment Tax Act.

14 B. Whenever an individual has received or will receive a
15 retirement payment for a month, an amount shall be deemed to
16 have been paid him for each day equal to one-thirtieth of such
17 retirement payment. If the retirement payment is for a
18 half-month, an amount shall be deemed to have been paid the
19 individual for each day equal to one-fifteenth of such
20 retirement payment. If the retirement payment is for any other
21 period, an amount shall be deemed to have been paid the
22 individual for each day in such period equal to the retirement
23 payment divided by the number of days in the period.

24 C. An individual shall be ineligible for benefits for any
25 week with respect to which his disqualifying income equals or
26 exceeds his weekly benefit amount. If such disqualifying income

1 with respect to a week totals less than the benefits for which
2 he would otherwise be eligible under this Act, he shall be
3 paid, with respect to such week, benefits reduced by the amount
4 of such disqualifying income.

5 D. To assure full tax credit to the employers of this State
6 against the tax imposed by the Federal Unemployment Tax Act,
7 the Director shall take any action as may be necessary in the
8 administration of paragraph 3 of subsection A of this Section
9 to insure that the application of its provisions conform to the
10 requirements of such Federal Act as interpreted by the United
11 States Secretary of Labor or other appropriate Federal agency.
12 (Source: P.A. 86-3.)".